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yet has found that "the rudiments need eternal repetition". Eternal repetition is necessary because, as the Justice regretfully admits, it has happened that "a gentleman prominent at the bar of one of the States professed difficulty in understanding what I mean".

Summa of the rudiments seems to be that "to rest upon a formula is a slumber that, prolonged, means death"; and our system of morality (out of which law grows or in which it is planted) is "a body of imperfect social generalizations expressed in terms of emotion. To get at its truth it is useful to omit the emotion and ask ourselves what those generalizations are and how far they are confirmed by fact accurately ascertained". Whether emotion itself be not a fact also demanding accurate ascertainment, is perhaps the one exegetical point not covered in some one of these papers.

The book is delightful to any man of legal training; and if such a man, especially one reasonably familiar with the course of Supreme Court decisions for the last eighteen years or so, will read it, he will discover how influential can become the "endless repetitions" of a man of great natural parts, learned and loving learning, worldly and sceptical, a little weary of observing that "*sermo datur cunctis, animi sapientia paucis*", and at times inclined to substitute *mihi* for *paucis*,—but always and everywhere perfectly disinterested and of a high and undaunted soul.

CHARLES MERRILL HOUGH

HANDBOOK OF ADMIRALTY LAW. SECOND EDITION. By ROBERT M. HUGHES, of the Norfolk Admiralty Bar. St. Paul, Minn.: WEST PUBLISHING CO. 1920. pp. xviii, 572.

Since the publication of the first edition of this work in 1901, there has been no volume dealing with the whole subject of Admiralty Law. The changes which various statutes have made in the maritime law have so revolutionized it as to render the former edition obsolete in many respects. Among these changes may be noted particularly the radical alteration in the law of maritime liens on domestic vessels by the Act of June 23, 1910.

The author of this treatise is a well known admiralty practitioner and was at one time a lecturer on Admiralty Law in Washington and Lee University. The subject is, therefore, approached by the writer from a practical, as well as a theoretical, view-point, which will make the volume useful both as a reference book for law offices and as a text for use in the law schools. The publication of a second edition of this book is timely because, while recent books have been published dealing with particular branches of the law, such as Charter Parties and General Average, there was heretofore no modern treatise on Admiralty Law as a whole.

As to the general scheme of the volume, it seems rather unfortunate that the author did not include in an earlier chapter the brief resumé on admiralty practice. This is especially so in case the book is intended to be read consecutively since, unless the reader has at the outset, a clear knowledge of rights *in rem* and *in personam*, a clear understanding of the law relating to such subjects as maritime liens and pilotage cannot be acquired.

There are some unfortunate errors in the use of English which detract from the character of the volume. Such phrases as "It would be difficult to find a transaction more maritime in character than the duties of a pilot" (p. 40), "Illustrations of such interests would be an innocent purchaser for value or a subsequent supply claim" (p. 105), "Transactions more thoroughly marine in nature than the relations of ship and cargo could hardly be imagined" (p. 157), might well have been avoided by a careful reading of the text.

As to the subject matter, we note that no attempt is made by the author to deduce any working rule by which the jurisdiction of an admiralty court over contracts may be determined. Perhaps this is too much to expect, for the question is very difficult, but it seems as if the author should have done more than quote disjointed extracts from a large number of cases.

The Act of June 23, 1910, which abolished the distinction between domestic and foreign vessels, so far as the incidence of liens thereon is concerned, and the decisions interpretive of that act, should have been discussed at greater length. The chapters on Charter Parties and injuries resulting in death are excellent.

The chapter on "Water Carriage as Affected by the Harter Act", might have been materially improved by a more orderly treatment of the subject. Under the heading, "Relative Measure of Obligation as to Handling the Cargo and Handling the Ship", the author has included the cases in which a port has been left open before sailing. The decision of these cases depended on whether the circumstances surrounding the leaving of the port open were such as to render the vessel unseaworthy at the commencement of the voyage. The inclusion of them under the caption above quoted merely serves to add further confusion to an already difficult subject.

The chapter on the steering and sailing rules is valuable. There is a typographical error on page 271 in a diagram illustrating the starboard hand rule.

In spite of the defects which have been pointed out, the book, while not a scholarly treatise, will undoubtedly prove useful to the profession.

GEORGE DE FOREST LORD

THE PROJECT OF A PERMANENT COURT OF INTERNATIONAL JUSTICE AND RESOLUTIONS OF THE ADVISORY COMMITTEE OF JURISTS. Report and Commentary. By JAMES BROWN SCOTT. (Pamphlet Series of Division of International Law No. 35.) Washington, D. C.: CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE. 1920. pp. vi, 235.

The Peace Conference at Paris, wiser in one respect at least than some of its critics appreciated, remitted the task of framing a scheme for an international court of justice to the Council of the League. About a year ago the Council invited an advisory committee of distinguished jurists to frame a plan. Mr. Elihu Root was quite appropriately among the number. Mr. Root requested Dr. James Brown Scott, who is probably more familiar than anyone else in this country with the various efforts which have been made to secure agreement upon a plan for an international court, to accompany him in an advisory capacity. This pamphlet so-called, really an octavo volume of two hundred and thirty-five pages, contains the report on the work of the advisory committee which Dr. Scott made to the Trustees of the Carnegie Endowment for International Peace. The report is probably as first-hand as anything short of an official report from the Committee could be.

The report begins with a brief account of the circumstances under which the advisory committee met and of its personnel, organization, and procedure. Then follows a most interesting narrative of the first three weeks during which the committee wrestled with the problem of the court's composition. The old dilemma that wrecked every project debated at The Hague in 1907 was revived again—how to constitute a tribunal among fifty or more nations so as to satisfy the powerful, safeguard the weak, assure adequate representation to every factor, and still be sure of an institution wieldy enough to function as a court. The committee was divided equally between nationals of great powers and